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Atorneys for Plaintiff CENTOCOR ORTHO BIOTECH, INC.
and Third-Party Defendants GLOBAL PHARMACEUTICAL SUPPLY GROUP,
LLC, CENTOCOR BIOLOGICS, LLC and JOM PHARMACEUTICAL
SERVICES, INC.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

CENTOCOR ORTHO BIOTECH, INC.

Plaintiffs

V.

GENENTECH, INC. and CITY OF HOPE

Defendants.

Case No. CV 08-03573 MRP (JEMx)

The Honorable Mariana R. Pfaelzer

~~PROPOSED~~ ORDER TO FILE
UNDER SEAL

Date: TBD

Time: TBD

Ctrm: 12

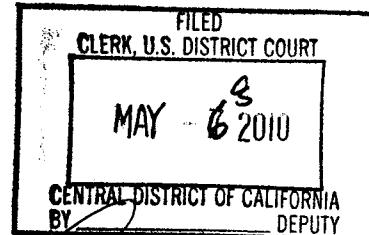
GENENTECH, INC. and CITY OF
HOPE,

Counter-Plaintiffs

v.

CENTOCOR ORTHO BIOTECH,
INC., et al.

Counter-Defendants



1 The Court, having considered Plaintiff Centocor Ortho Biotech, Inc.'s
2 ("Centocor") Application to File Under Seal in Support of Plaintiff's Ex Parte
3 Application to Compel Disclosure of Inappropriately Withheld Information, and all
4 papers submitted in support therewith, finds that (1) The parties possess overriding
5 confidentiality interests in the subject documents that overcomes the right of public
6 access to the record; (2) The parties' overriding confidentiality interests support
7 sealing these documents; and (3) a substantial probability exists that the parties'
8 overriding confidentiality interests will be prejudiced if the record is not sealed.

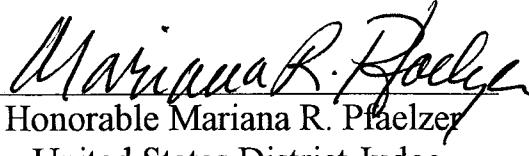
9 IT IS THEREFORE ORDERED that Centocor's Application To File Under
10 Seal is GRANTED as follows:

- 11 1. Exhibit A: Portion of the Deposition Transcript of Schmuel Cabilly,
12 PhD. Date April 9, 2010 ; and
- 13 2. Exhibit K: Rebuttal Expert Report of Mark X. Sliwkoski, Ph.D. in the
14 case of Chiron Corp. v. Genentech, Inc. date January 28, 2002.

15 No persons other than the Court and counsel of record are authorized to
16 inspect the above-listed records filed under seal.

17 IT IS SO ORDERED

18 Dated: May 6, 2010


19 Honorable Mariana R. Praelzer
20 United States District Judge

21 Prepared and submitted by:

22 Connolly Bove Lodge & Hutz LLP

23
24 By: Keith D. Fraser

25 Keith D. Fraser
26 Attorneys for Plaintiff CENTOCOR
27 ORTHO BIOTECH, INC. and
28 Third-Party Defendants GLOBAL
PHARMACEUTICAL SUPPLY GROUP, LLC,
CENTOCOR BIOLOGICS, LLC and
JOM PHARMACEUTICAL SERVICES, INC

CERTIFICATE OF SERVICE

I, Dori Dellisanti, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, State of California, and not a party to the above-entitled cause. My business address is Connolly Bove Lodge & Hutz LLP, 333 South Grand Avenue, Suite 2300, Los Angeles, California 90071.

On April 30, 2010, I served the foregoing documents described as:
[PROPOSED] ORDER RE PLAINTIFF'S APPLICATION TO FILE DOCUMENTS UNDER SEAL IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION TO COMPEL DISCLOSURE OF INAPPROPRIATELY WITHHELD INFORMATION on the following person(s) in this action by placing a true copy thereof enclosed in sealed envelope addressed as follows:

<p>David I Gindler Joseph M Lipner Irell and Manella 1800 Avenue of the Stars Suite 900 Los Angeles, CA 90067-4276</p>	<p>Attorneys for Defendant and Counterclaimant City of Hope Medical Center Tel: 310-277-1010 Fax: 310-203-7199 Email: jlipner@irell.com; dgindler@irell.com Coh.centocor.team@irell.com</p>
<p>Mark A. Pals Marcus E Sernel Matthew Shiels Kirkland and Ellis LLP 300 North LaSalle Street Chicago, IL 60654</p>	<p>Attorneys for Defendant and Counterclaimant Genentech, Inc. Tel: 312-861-2000 Fax: 312-861-2200 Email: mpals@kirkland.com msernel@kirkland.com mshiels@kirkland.com</p>
<p>Daralyn J. Durie Ryan Kent Durie Tangri Lemley Roberts & Kent LLP 332 Pine Street, Suite 200 San Francisco, CA 94104</p>	<p>Attorneys for Defendant and Counterclaimant Genentech, Inc. Tel: 415-362-6666 Email: ddurie@durietangri.com rkent@durietangri.com</p>

BY MAIL: I am readily familiar with the firm's practice regarding collection and processing of correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee(s) as stated above.

FEDERAL EXPRESS: I am readily familiar with the office practice of Connolly Bove Lodge & Hutz LLP for collecting and processing correspondence for overnight delivery by Federal Express. Such practice is that when correspondence for overnight delivery by Federal Express is deposited with the Connolly Bove Lodge & Hutz LLP personnel responsible for delivering correspondence to Federal Express, such correspondence is delivered to a Federal Express location or to an authorized courier or driver authorized by Federal Express to receive documents or deposited at a facility

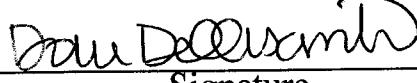
1 regularly maintained by Federal Express for receipt of documents on the same
2 day in the ordinary course of business.

3 **BY E-MAIL:** (1) I caused copies of the above documents to be emailed to the
4 interested parties based on the email addresses indicated herein, and/or (2)
5 based on General Order 08-02, the attached document(s) was sent to the
6 person(s) at the e-mail addres(es) indicated above through the Court's
7 Electronic Filing System (ECF).

8 **FEDERAL** I declare that I am employed in the office of a member of the bar
9 of this court at whose direction the service was made.

10 I hereby declare under penalty of perjury that the foregoing is true and correct.
11 Executed on April 30, 2010 at Los Angeles, California.

12 Dori Dellisanti
13 Name

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15 Signature

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